

**STATE OF CALIFORNIA  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION**

**STAFF REPORT FOR REGULAR MEETING OF JULY 9, 2004**

Prepared on April 15 2004

**SUBJECT: WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR THE COWEL-SOUTH UNIT TIMBER HARVEST PLAN, (THP NO. PENDING), SANTA CRUZ COUNTY, RESOLUTION NO. R3-2004-0079**

**SUMMARY: Harvest Type – Industrial Timber Harvest Plan (THP)  
Area – 380 Acres  
Watercourses – Three Class I Stream Segments, Two Class II Stream Segments and 20 Class III Stream Segments  
Watershed – Boulder Creek  
Forester – David Van Lennep  
Land Owner – Roger & Michele Burch**

**DISCUSSION**

On March 11, 2004, Regional Board staff received a request from David Van Lennep, Registered Professional Forester (RPF) for Water Quality regulation of the proposed Cowell-South Unit Timber Harvest (THP or Plan). The proposed THP involves selective harvesting of 380 acres of land utilizing ground based yarding techniques. The Plan area includes about five percent the Boulder Creek Watershed. Other sources of potential impacts in the watershed include farming, County and private road construction, land development, recreation, and residential & commercial storm water runoff.

At the time this staff report was prepared, Regional Board staff had not inspected the THP. This THP will be inspected during the California Dept. of Forestry's "Review Team Process." An inspection report will be included in the final item. The proposed waiver will be modified as appropriate prior to consideration by the Board. The RPF has provided sufficient information (attached) to allow Regional Board

staff to begin the regulatory process for the Regional Board hearing scheduled for July.

**Conditions**

The proposed project will be conducted as prescribed in a Timber Harvest Plan accepted by the California Department of Forestry and Fire Protection with the following additional conditions.

1. The discharger must comply with all requirements of applicable water quality control plans adopted by the Central Coast Regional Water Quality Control Board and approved by the State Water Resources Control Board, and water quality control plans and policies adopted by the State Water Resources Control Board.
2. The discharger shall conduct timber harvest activities in accordance with the approved Timber Harvest Plan and with all applicable sections for the Forest Practice Rules.

3. The discharger shall not create a pollution, contamination, or nuisance, as defined by CWC Section 13050.
  4. The discharger shall not discharge any waste not specifically regulated by the waivers described herein and shall not cause alteration in stream temperature which exceeds Basin Plan requirements. Waste specifically regulated under this waiver includes: earthen materials including soil, silt, sand, clay, rock; organic materials such as slash, sawdust, or bark. Examples of waste not specifically regulated by this waiver include petroleum products, hazardous materials, or human wastes.
  5. The discharger shall allow Regional Board staff reasonable access, pursuant to Public Resources Code 4604 (b), onto the affected property for the purpose of performing inspections to determine compliance with waiver conditions.
  6. The discharger shall implement Monitoring & Reporting Program No. R3-2004-0079.
  7. This Waiver does not regulate point-source discharges that require an NPDES permit under the Clean Water Act including silvicultural point-source discharges as defined in 40CFR Chapter 1 Part 122.27.
- This proposed project, if conducted in accordance with Timber Harvest Plan (THP No. Pending) and the conditions above will be in the public interest. The proposed waiver is conditional and can be terminated at any time. The proposed waiver expires on July 1, 2009.
2. Watercourses within the THP include Class I, II and III stream segments. No steelhead are present immediately adjacent to the THP. Water diversions from Boulder Creek are the sole basis for the Class I stream classification. Retained canopy along the Class I and II stream segments is 50 percent.
  3. All roads are existing. One new landing and about 400 feet of new skid trails are proposed. Existing roads total 16,500 ft., existing skid trails total 57,000 feet and there are 20 existing landings. None of the roads, skid trails or landings are located in unstable areas.
  4. Redwood Empire has a recent history of good land management (i.e., last five years).
  5. No unstable areas have been reported to exist on the THP.
  6. Erosion hazard rating ranges from low to high in the area of the THP. Equipment operations will generally be confined to the low to moderate erosion hazard rated areas.
  7. Monitoring will be implemented in a manner such that erosion problems that might occur will be addressed as soon as practical.

### Risk to Water Quality

This THP is considered a "moderate risk" to water quality for the following reasons:

1. Boulder Creek is listed on the 303d list of Impaired Water Bodies, and is considered a "threatened and impaired watershed" (as

defined by the Forest Practice Rules) because the Class I portions of the Creek (lower in the watershed) are habitat for steelhead, an endangered species.

### Monitoring & Reporting

The landowner and/or the forester will be required to implement turbidity monitoring up and down stream of crossings, photo-point and/or visual monitoring of watercourses, unstable areas, roads, landings, skid trails and other points of potential erosion. Reporting is required on an annual basis with additional reporting if significant erosion events are observed. If a water quality impact or a violation of the THP that which could lead to a

water quality impact is observed, the RPF is required to report this event to the Regional Board within forty-eight (48) hours. Log books of field inspections will be maintained by David Van Lennep.

**CALIFORNIA ENVIRONMENTAL  
QUALITY ACT (CEQA)**

CEQA requirements for this plan must be completed before Regional Board staff will make a recommendation to the Regional Board.

**ATTACHMENTS**

1. Proposed Board Resolution No. R3-2004-0079
2. Proposed Monitoring & Reporting Program R3-2004-0079
3. Timber Harvest Information Package
4. March 9 letter from Redwood Empire
5. Site Plan